

HOUSE BILL 1001

Q5, R2

CONSTITUTIONAL AMENDMENT

11r2629
CF SB 714

By: **Delegates Frick, Arora, Barkley, Barve, Cardin, Cullison, Dumais, Feldman, Frush, Gaines, Gilchrist, Gutierrez, Healey, Hixson, Hucker, Ivey, Kaiser, A. Kelly, Lee, Luedtke, A. Miller, Mizeur, Murphy, Niemann, Oaks, Pena-Melnyk, Reznik, S. Robinson, Rosenberg, Ross, Stukes, Summers, Tarrant, V. Turner, Vaughn, Walker, and Zucker**

Introduced and read first time: February 11, 2011

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation Trust Fund – Financing – Use of Funds**

3 FOR the purpose of proposing an amendment to the Maryland Constitution to
4 establish a Transportation Trust Fund to be used only for purposes relating to
5 transportation except in certain circumstances; prohibiting the reversion or
6 crediting of any part of the Transportation Trust Fund to the General Fund of
7 the State with a certain exception; prohibiting the reversion or crediting of any
8 part of the Transportation Trust Fund to a special fund of the State with a
9 certain exception; requiring that certain taxes, fees, charges, and revenues be
10 credited to the Transportation Trust Fund; authorizing the use of funds in the
11 Transportation Trust Fund for defense or relief purposes if the State is invaded
12 or a major catastrophe occurs and the Governor and the General Assembly take
13 certain actions and provide for the repayment of the funds; submitting an
14 amendment to the Maryland Constitution to the qualified voters of the State of
15 Maryland for their adoption or rejection; increasing the motor fuel tax rates for
16 certain motor fuel; requiring that the motor fuel tax rates for certain motor fuel
17 be increased annually beginning on a certain date based on the annual
18 percentage growth in a certain index; prohibiting an increase in certain motor
19 fuel tax rates of more than a certain amount annually; requiring persons who
20 hold tax-paid motor fuel on the date of an increase in the motor fuel tax to
21 remit any additional tax due on the fuel; requiring the Comptroller to determine
22 and announce the annual percentage growth in a certain index and the motor
23 fuel tax rates for the next fiscal year by a certain date; defining a certain term;
24 increasing certain motor vehicle registration fees; and generally relating to the
25 financing and use of funds of the Transportation Trust Fund.

26 BY proposing an addition to the Maryland Constitution

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Article III – Legislative Department
2 Section 53

3 BY repealing and reenacting, with amendments,
4 Article – Tax – General
5 Section 9–305
6 Annotated Code of Maryland
7 (2010 Replacement Volume)

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 13–912, 13–913, 13–914, 13–915, 13–916, 13–917, 13–919(f), 13–920(d),
11 13–921, 13–923, 13–924, 13–927, 13–930, 13–932, 13–933, 13–934,
12 13–935, 13–936(d) and (i), 13–936.1, 13–937, 13–937.1(c), 13–939,
13 13–939.1, and 13–939.2
14 Annotated Code of Maryland
15 (2009 Replacement Volume and 2010 Supplement)

16 BY repealing and reenacting, without amendments,
17 Article – Transportation
18 Section 13–918, 13–919(a), 13–920(a), 13–936(a), (b), (c), and (e), 13–937.1(a),
19 (b), (d), and (e)
20 Annotated Code of Maryland
21 (2009 Replacement Volume and 2010 Supplement)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
23 MARYLAND, (Three–fifths of all the members elected to each of the two Houses
24 concurring), That it be proposed that the Maryland Constitution read as follows:

25 **Article III – Legislative Department**

26 **53.**

27 **(A) THERE IS A TRANSPORTATION TRUST FUND.**

28 **(B) EXCEPT AS PROVIDED IN SUBSECTIONS (C), (D), AND (F) OF THIS**
29 **SECTION, THE FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED**
30 **ONLY:**

31 **(1) FOR THE PURPOSE OF PAYING THE PRINCIPAL OF AND**
32 **INTEREST ON TRANSPORTATION BONDS AS THEY BECOME DUE AND PAYABLE;**
33 **AND**

34 **(2) AFTER MEETING DEBT SERVICE REQUIREMENTS FOR**
35 **TRANSPORTATION BONDS, FOR ANY LAWFUL PURPOSE RELATED TO THE**

1 CONSTRUCTION AND MAINTENANCE OF AN ADEQUATE HIGHWAY SYSTEM IN THE
2 STATE OR ANY OTHER PURPOSE RELATED TO TRANSPORTATION.

3 (C) (1) EXCEPT AS OTHERWISE PROVIDED IN THIS SUBSECTION, NO
4 PART OF THE TRANSPORTATION TRUST FUND MAY REVERT OR BE CREDITED TO
5 THE GENERAL FUND OF THE STATE.

6 (2) FUNDS FROM THE GASOLINE AND MOTOR VEHICLE REVENUE
7 ACCOUNT IN THE TRANSPORTATION TRUST FUND MAY BE DISTRIBUTED TO
8 THE GENERAL FUND AS PROVIDED IN § 8-402 OF THE TRANSPORTATION
9 ARTICLE AS IT WAS IN EFFECT ON OCTOBER 1, 2010.

10 (3) THE GENERAL ASSEMBLY MAY DECREASE, BUT MAY NOT
11 INCREASE, THE PORTION OF FUNDS FROM THE GASOLINE AND MOTOR VEHICLE
12 REVENUE ACCOUNT IN THE TRANSPORTATION TRUST FUND THAT IS
13 DISTRIBUTED TO THE GENERAL FUND UNDER § 8-402 OF THE
14 TRANSPORTATION ARTICLE AS IT WAS IN EFFECT ON OCTOBER 1, 2010.

15 (D) NO PART OF THE TRANSPORTATION TRUST FUND MAY REVERT OR
16 BE CREDITED TO A SPECIAL FUND OF THE STATE, UNLESS OTHERWISE
17 PROVIDED BY A LAW THAT WAS IN EFFECT ON OCTOBER 1, 2010.

18 (E) THERE SHALL BE CREDITED TO THE TRANSPORTATION TRUST
19 FUND THE FOLLOWING TAXES, FEES, CHARGES, AND REVENUES:

20 (1) THE CASH PROCEEDS OF THE SALE OF CONSOLIDATED
21 TRANSPORTATION BONDS, NOTES, OR OTHER EVIDENCES OF OBLIGATION
22 ISSUED FOR TRANSPORTATION PURPOSES;

23 (2) ALL FEDERAL FUNDS PROVIDED TO THE STATE FOR
24 TRANSPORTATION PURPOSES;

25 (3) NOT LESS THAN THE PORTION OF MOTOR FUEL TAX REVENUE
26 DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE 2,
27 SUBTITLE 11 OF THE TAX - GENERAL ARTICLE AS IT WAS IN EFFECT ON
28 OCTOBER 1, 2010;

29 (4) NOT LESS THAN THE PORTION OF MOTOR CARRIER TAX
30 REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE
31 2, SUBTITLE 10 OF THE TAX - GENERAL ARTICLE AS IT WAS IN EFFECT ON
32 OCTOBER 1, 2010;

33 (5) NOT LESS THAN THE PORTION OF VEHICLE EXCISE TAX
34 REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER §

1 **13-814 OF THE TRANSPORTATION ARTICLE AS IT WAS IN EFFECT ON OCTOBER**
2 **1, 2010;**

3 **(6) NOT LESS THAN THE PORTION OF CORPORATE INCOME TAX**
4 **REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER §**
5 **2-614 OF THE TAX – GENERAL ARTICLE AS IT WAS IN EFFECT ON OCTOBER 1,**
6 **2010;**

7 **(7) NOT LESS THAN THE PORTION OF SALES AND USE TAX**
8 **REVENUE DISTRIBUTED TO THE TRANSPORTATION TRUST FUND UNDER TITLE**
9 **2, SUBTITLE 13 OF THE TAX – GENERAL ARTICLE AS IT WAS IN EFFECT ON**
10 **OCTOBER 1, 2010;**

11 **(8) VEHICLE REGISTRATION FEES COLLECTED UNDER TITLE 13,**
12 **SUBTITLE 9, PART II OF THE TRANSPORTATION ARTICLE;**

13 **(9) NOT LESS THAN THE PORTION OF REVENUE FROM ALL OTHER**
14 **FEES COLLECTED BY THE MOTOR VEHICLE ADMINISTRATION AND**
15 **DISTRIBUTED IN WHOLE OR IN PART TO THE TRANSPORTATION TRUST FUND**
16 **UNDER THE TRANSPORTATION ARTICLE AS IT WAS IN EFFECT ON OCTOBER 1,**
17 **2010;**

18 **(10) OPERATING REVENUES FROM FARES, FEES, RATES, RENTALS,**
19 **AND OTHER CHARGES IMPOSED BY THE MARYLAND TRANSIT ADMINISTRATION,**
20 **MARYLAND AVIATION ADMINISTRATION, AND MARYLAND PORT**
21 **ADMINISTRATION FOR THE USE OF THEIR SERVICES OR FACILITIES;**

22 **(11) ALL OTHER FUNDS DISTRIBUTED TO THE TRANSPORTATION**
23 **TRUST FUND UNDER A LAW IN EFFECT ON OCTOBER 1, 2010.**

24 **(F) THE FUNDS IN THE TRANSPORTATION TRUST FUND MAY BE USED**
25 **FOR DEFENSE OR RELIEF PURPOSES IF:**

26 **(1) THE STATE IS INVADED BY LAND, SEA, OR AIR, OR A MAJOR**
27 **CATASTROPHE OCCURS;**

28 **(2) THE GOVERNOR:**

29 **(I) PROCLAIMS A STATE OF EMERGENCY;**

30 **(II) DECLARES THAT USE OF THE FUNDS FOR DEFENSE OR**
31 **RELIEF PURPOSES IS NECESSARY FOR THE IMMEDIATE PRESERVATION OF THE**
32 **PUBLIC HEALTH OR SAFETY; AND**

1 (III) PROPOSES A PLAN TO REPAY THE TRANSPORTATION
2 TRUST FUND, WITHIN 5 YEARS AFTER THE USE OF THE FUNDS, FOR ANY
3 AMOUNTS USED UNDER THE AUTHORITY OF THIS SUBSECTION; AND

4 (3) THE GENERAL ASSEMBLY, BY LEGISLATION PASSED UPON A
5 YEA AND NAY VOTE SUPPORTED BY THREE-FIFTHS OF ALL THE MEMBERS
6 ELECTED TO EACH OF THE TWO HOUSES OF THE GENERAL ASSEMBLY,
7 CONCURS THAT THE USE OF THE FUNDS FOR DEFENSE OR RELIEF PURPOSES IS
8 NECESSARY AND APPROVES THE REPAYMENT PLAN PROPOSED BY THE
9 GOVERNOR.

10 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
11 read as follows:

12 Article – Tax – General

13 9–305.

14 (A) [The] SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE motor fuel
15 tax rate is:

16 (1) 7 cents for each gallon of aviation gasoline;

17 (2) [23.5] **33.5** cents for each gallon of gasoline other than aviation
18 gasoline;

19 (3) [24.25] **34.25** cents for each gallon of special fuel other than
20 clean-burning fuel or turbine fuel;

21 (4) 7 cents for each gallon of turbine fuel; and

22 (5) [23.5] **33.5** cents for each gasoline-equivalent gallon of
23 clean-burning fuel except electricity.

24 (B) (1) (I) THIS SUBSECTION APPLIES TO THE MOTOR FUEL TAX
25 RATE EFFECTIVE BEGINNING JULY 1, 2013.

26 (II) AN INCREASE IN THE MOTOR FUEL TAX RATE UNDER
27 THIS SUBSECTION SHALL BE EFFECTIVE FOR A PERIOD OF 1 YEAR.

28 (2) SUBJECT TO THE LIMITATIONS UNDER PARAGRAPH (3) OF
29 THIS SUBSECTION, FOR MOTOR FUELS SPECIFIED IN SUBSECTION (A)(2), (3),
30 AND (5) OF THIS SECTION, THE MOTOR FUEL TAX RATE SHALL BE INCREASED
31 EFFECTIVE JULY 1 OF EACH YEAR BY THE AMOUNT, ROUNDED TO THE NEAREST
32 ONE-TENTH OF A CENT, THAT EQUALS THE PRODUCT OF MULTIPLYING:

1 **(I) THE MOTOR FUEL TAX RATE IN EFFECT FOR THE**
2 **PRECEDING FISCAL YEAR; AND**

3 **(II) THE ANNUAL PERCENTAGE GROWTH IN THE**
4 **CONSTRUCTION COST INDEX AS DETERMINED BY THE COMPTROLLER UNDER**
5 **SUBSECTION (C)(2) OF THIS SECTION.**

6 **(3) (I) FOR ANY FISCAL YEAR, THE MOTOR FUEL TAX RATES**
7 **MAY NOT BE INCREASED BY MORE THAN 1 CENT PER GALLON OVER THE RATES**
8 **IN EFFECT FOR THE PRECEDING FISCAL YEAR.**

9 **(II) IF THERE IS NO INCREASE IN THE ANNUAL PERCENTAGE**
10 **GROWTH IN THE CONSTRUCTION COST INDEX, THE MOTOR FUEL TAX RATES**
11 **SHALL BE THE TAX RATES IN EFFECT FOR THE PRECEDING FISCAL YEAR.**

12 **(4) THE COMPTROLLER SHALL REQUIRE ANY PERSON**
13 **POSSESSING TAX-PAID MOTOR FUEL FOR SALE AT THE START OF BUSINESS ON**
14 **THE DATE OF ANY INCREASE IN THE MOTOR FUEL TAX UNDER THIS SUBSECTION**
15 **TO COMPILE AND FILE AN INVENTORY OF THE MOTOR FUEL HELD AT THE CLOSE**
16 **OF BUSINESS ON THE PRECEDING DATE AND REMIT WITHIN 30 DAYS ANY**
17 **ADDITIONAL MOTOR FUEL TAX THAT IS DUE ON THE MOTOR FUEL.**

18 **(c) (1) IN THIS SUBSECTION, "CONSTRUCTION COST INDEX" MEANS**
19 **AN INDEX PUBLISHED MONTHLY BY THE ENGINEERING NEWS-RECORD THAT IS**
20 **A WEIGHTED AGGREGATE INDEX OF THE PRICES OF CONSTANT QUANTITIES OF**
21 **STRUCTURAL STEEL, PORTLAND CEMENT, LUMBER, AND COMMON LABOR.**

22 **(2) ON OR BEFORE APRIL 15 OF EACH YEAR, THE COMPTROLLER**
23 **SHALL DETERMINE AND ANNOUNCE:**

24 **(I) THE ANNUAL PERCENTAGE GROWTH IN THE**
25 **CONSTRUCTION COST INDEX BASED ON THE CHANGE IN THE INDEX REPORTED**
26 **FROM THE PRECEDING APRIL THROUGH THE CURRENT APRIL INDEX; AND**

27 **(II) THE MOTOR FUEL TAX RATES EFFECTIVE JULY 1 OF THE**
28 **NEXT FISCAL YEAR.**

29 **Article – Transportation**

30 13-912.

1 (a) When registered with the Administration, every passenger car and
2 station wagon, except as otherwise provided in this part, is a Class A (passenger)
3 vehicle.

4 (b) For each Class A (passenger) vehicle, the annual registration fee is:

5 (1) For a vehicle with a manufacturer's shipping weight of 3,700
6 pounds or less — [~~\$50.50~~] **\$75.75**; and

7 (2) For a vehicle with a manufacturer's shipping weight of more than
8 3,700 pounds — [~~\$76.50~~] **\$114.75**.

9 13–913.

10 (a) (1) When registered with the Administration, every passenger motor
11 vehicle operated for the transportation of persons for hire, except a vehicle described
12 in paragraph (2) of this subsection, is a Class B (for hire) vehicle.

13 (2) The following vehicles are not subject to the classification specified
14 in this section:

15 (i) Any vehicle operated on a regular schedule and between
16 fixed termini; and

17 (ii) Any vehicle for which a different classification is specified in
18 this part.

19 (b) For each Class B (for hire) vehicle, the annual registration fee is
20 [~~\$150.00~~] **\$225.00**.

21 13–914.

22 (a) When registered with the Administration, every motor vehicle operated
23 as an ambulance, a mortician flower coach or service wagon, or a funeral limousine or
24 coach is a Class C (funeral and ambulance) vehicle.

25 (b) For each Class C (funeral and ambulance) vehicle, the annual
26 registration fee is [~~\$100.00~~] **\$150.00**.

27 13–915.

28 (a) When registered with the Administration, every motorcycle is a Class D
29 (motorcycle) vehicle.

30 (b) For each Class D (motorcycle) vehicle, the annual registration fee is
31 [~~\$35.00~~] **\$52.50**.

1 13-916.

2 (a) When registered with the Administration, every single unit truck with
3 two or more axles is a Class E (truck) vehicle.

4 (b) For each Class E (truck) vehicle, the annual registration fee is based on
5 the maximum gross weight of the vehicle or combination of vehicles, as follows:

6	Maximum Gross Weight	Fee (per 1,000 Pounds	
7	Limit (in Pounds)	or Fraction Thereof)	
8	10,000 (minimum) – 18,000	[\$ 9.00]	\$13.50
9	18,001 – 26,000	[11.75]	17.63
10	26,001 – 40,000	[12.75]	19.13
11	40,001 – 60,000	[14.75]	22.13
12	60,001 – 80,000 (maximum)	[16.00]	24.00

13 13-917.

14 Notwithstanding § 13-916(b) of this subtitle, for any Class E (truck) vehicle, the
15 annual registration fee is ~~[\$63.75]~~ **\$95.63** if:

16 (1) The manufacturer's rated capacity is 3/4 ton or less; and

17 (2) The maximum gross vehicle weight is 7,000 pounds or less.

18 13-918.

19 (a) If a Class E (truck) vehicle is operated in combination with a nonfreight
20 trailer or semitrailer under § 13-927(b)(1) of this subtitle, the Class E (truck) vehicle
21 shall be registered for only the gross vehicle weight of the Class E (truck) vehicle and
22 not the gross combination weight of the Class E (truck) vehicle and nonfreight trailer
23 or semitrailer.

24 (b) If a Class E (truck) vehicle is operated in combination with a freight
25 trailer or semitrailer, under § 13-927(c)(1) of this subtitle, the Class E (truck) vehicle
26 shall be registered for the gross combination weight, which includes the gross weight
27 of the Class E (truck) vehicle, and the freight trailer or semitrailer with which it is in
28 combination.

29 13-919.

30 (a) On application, the Administration shall issue a special Class E "dump
31 service registration" to any applicant who certifies that the vehicle for which the
32 application is made is a Class E (truck) vehicle that:

33 (1) Is designed to haul cargo and to self-unload by gravity or
34 mechanical means; and

1 (2) Is to be used to haul feed or other loose materials in bulk.

2 (f) For each vehicle registered under this section, the annual registration fee
3 is the greater of:

4 (1) [~~\$26.25~~] **\$39.38** for each thousand pounds of gross weight of the
5 vehicle; or

6 (2) [~~\$1,050.00~~] **\$1,575.00**.

7 13–920.

8 (a) (1) In this section, “tow truck” means a vehicle that:

9 (i) Is a Class E (truck) vehicle that is designed to lift, pull, or
10 carry a vehicle by a hoist or mechanical apparatus;

11 (ii) Has a manufacturer’s gross vehicle weight rating of 10,000
12 pounds or more; and

13 (iii) Is equipped as a tow truck or designed as a rollback as
14 defined in § 11–151.1 of this article.

15 (2) In this section, “tow truck” does not include a truck tractor as
16 defined in § 11–172 of this article.

17 (d) (1) Subject to the provisions of paragraph (2) of this subsection, for
18 each vehicle registered under this section, the annual registration fee is based on the
19 manufacturer’s gross vehicle weight rating as follows:

20	Manufacturer’s Gross Weight	Fee
21	Rating (in Pounds)	
22	10,000 (or less) to 26,000	[\$185.00] \$277.50
23	More than 26,000	[\$550.00] \$825.00

24 (2) (i) The annual registration fee for a vehicle registered under
25 this section that is used for any purpose other than that described in subsection (c) of
26 this section shall be determined under subparagraph (ii) of this paragraph if the
27 maximum gross weight of the vehicle or combination of vehicles:

28 1. Exceeds 18,000 pounds and the vehicle has a
29 manufacturer’s gross weight rating of 26,000 pounds or less; or

30 2. Exceeds 35,000 pounds and the vehicle has a
31 manufacturer’s gross weight rating of more than 26,000 pounds.

- 1 (ii) The annual registration fee shall be the greater of:
 2 1. The fees set forth in paragraph (1) of this subsection;
 3 or
 4 2. The fees set forth in § 13–916(b) of this subtitle.
 5 13–921.

6 (a) In this section, “farm truck” means a farm vehicle that:

- 7 (1) Is a Class E (truck) vehicle; and
 8 (2) Has a shipping weight of its chassis and battery, as certified by the
 9 manufacturer, of more than 3/4 ton.

10 (b) On application, the Administration shall issue a Class E “farm truck
 11 registration” to any applicant who certifies:

- 12 (1) That the applicant is a farmer; and
 13 (2) That the vehicle for which the application is made is a farm truck,
 14 specifying its proposed use.

15 (c) For each vehicle registered under this section, the annual registration fee
 16 is based on the maximum gross vehicle weight, as follows:

17	Maximum Gross Weight	Fee (per 1,000 Pounds
18	Limit (in Pounds)	or Fraction Thereof)
19	10,000 (minimum) – 40,000	[\$5.00] \$7.50
20	40,001 – 65,000 (maximum)	[\$5.25] \$7.88

21 (d) Except as provided in § 8–602(c) of this article, a vehicle registered under
 22 this section may not be used:

- 23 (1) For hire except to haul farm products for another farmer; or
 24 (2) In any manner other than as a farm truck.

25 13–923.

26 (a) When registered with the Administration, every truck tractor or similar
 27 motor vehicle used for propelling, supporting, or drawing a trailer or semitrailer is a
 28 Class F (tractor) vehicle.

1 (b) For each Class F (tractor) vehicle, the annual registration fee is based on
 2 the maximum gross weight of the vehicle in combination with a trailer or semitrailer,
 3 as follows:

4 Maximum Gross Weight	Fee (per 1,000 Pounds
5 Limit (in Pounds)	or Fraction Thereof)
6 40,000 (minimum) – 60,000	[\$21.00] \$31.50
7 60,001 – 80,000 or more	[\$22.50] \$33.75

8 13–924.

9 (a) In this section, “farm truck tractor” means a farm vehicle that is a Class
 10 F (tractor) vehicle.

11 (b) On application, the Administration shall issue a Class F “farm truck
 12 tractor” registration to any applicant who certifies:

13 (1) That the applicant is a farmer; and

14 (2) That the vehicle for which the application is made is a farm truck
 15 tractor, specifying its proposed use.

16 (c) For each farm truck tractor the annual registration fee is based on the
 17 maximum gross weight of the vehicle in combination with a trailer or semitrailer, as
 18 follows:

19 Maximum Gross Weight	Fee (per 1,000 Pounds
20 Limit (in Pounds)	or Fraction Thereof)
21 40,000 (minimum) –	
22 80,000 (maximum)	[\$5.25] \$7.88

23 (d) A vehicle registered under this section may not be used for hire except to
 24 haul farm products for another farmer.

25 (e) A vehicle registered under this section may not be used in any manner
 26 other than as a farm truck tractor.

27 13–927.

28 (a) (1) When registered with the Administration, every trailer and
 29 semitrailer is a Class G (trailer) vehicle.

30 (2) A Class G (trailer) vehicle shall be classified as “freight” or
 31 “nonfreight”.

1 (b) A nonfreight trailer or semitrailer is a vehicle designed for towing by a
 2 Class A (passenger) vehicle, a Class M (multipurpose) vehicle, or a Class E (truck)
 3 vehicle, and shall:

4 (1) (i) If towed by a Class E (truck) vehicle, have a gross weight of
 5 20,000 pounds or less; or

6 (ii) If towed by a Class A (passenger) vehicle or a Class M
 7 (multipurpose) vehicle, have a gross weight of 10,000 pounds or less; and

8 (2) Be a:

9 (i) Boat trailer;

10 (ii) Camping trailer;

11 (iii) Travel trailer;

12 (iv) House trailer; or

13 (v) Utility trailer.

14 (c) A freight trailer or semitrailer shall be:

15 (1) Designed for towing by a Class E (truck) or Class F (tractor)
 16 vehicle; and

17 (2) (i) In excess of 20,000 pounds gross weight if towed by a Class
 18 E (truck) vehicle; or

19 (ii) In excess of 10,000 pounds gross weight if towed by a Class
 20 F (tractor) vehicle.

21 (d) The annual registration fee for a Class G (trailer) vehicle is based on the
 22 maximum gross weight as follows:

23 (1) Except as provided in paragraph (2) of this subsection, for a
 24 nonfreight trailer or semitrailer:

25	Maximum Gross Weight	Fee
26	Limit (in Pounds)	
27	3,000 or less	[\$ 25.50] \$ 38.25
28	3,001 to 5,000	[51.00] 76.50
29	5,001 to 10,000	[80.00] 120.00
30	10,001 to 20,000	[124.00] 186.00

1 (2) For a nonfreight trailer or semitrailer with a maximum gross
 2 weight limit (in pounds) of 10,001 to 20,000 that is titled on or after October 1, 2005:

3 (i) The fee is [~~\$124.00~~] **\$186.00**; and

4 (ii) The vehicle shall be registered in one of the following weight
 5 ranges:

6	Maximum Gross Weight
7	Limit (in Pounds)
8	10,001 to 11,000
9	11,001 to 12,000
10	12,001 to 13,000
11	13,001 to 14,000
12	14,001 to 15,000
13	15,001 to 16,000
14	16,001 to 17,000
15	17,001 to 18,000
16	18,001 to 19,000
17	19,001 to 20,000

18 (3) For a freight trailer or semitrailer the fee is [~~\$38.25~~] **\$57.38**.

19 13-930.

20 (a) In this section, "farm trailer or semitrailer" means a farm vehicle that is
 21 a Class G (trailer) vehicle.

22 (b) On application, the Administration shall issue a special Class G "farm
 23 trailer or semitrailer" registration to any applicant who certifies:

24 (1) That the applicant is a farmer; and

25 (2) That the vehicle for which the application is made is a farm trailer
 26 or semitrailer, specifying its proposed use.

27 (c) Except as otherwise provided in this part, for each farm trailer or
 28 semitrailer, the annual registration fee is based on the maximum gross weight
 29 limitations for the vehicle, as follows:

30	Maximum Gross Weight		
31	Limit (in Pounds)	Fee	
32	3,000	[\$12.75]	\$19.13
33	5,000	[25.50]	38.25
34	10,000	[40.00]	60.00
35	20,000	[62.00]	93.00

1 (d) A vehicle registered under this section may not be used for hire except to
2 haul farm products for another farmer.

3 (e) A vehicle registered under this section may not be used in any manner
4 other than as a farm trailer or semitrailer.

5 13-932.

6 (a) When registered with the Administration, every school vehicle is a Class
7 H (school) vehicle.

8 (b) For each Type I school vehicle, the annual registration fee is:

9 (1) If the vehicle is a school bus only operated for the transportation of
10 children, students, or teachers for educational purposes or in connection with a school
11 activity or, with approval from a board of education in any county, to provide
12 transportation for persons 60 years of age or older to civic, educational, social, or
13 recreational activities — [~~\$51.00~~] **\$76.50**; and

14 (2) If the vehicle is a school bus charter operated for any purpose in
15 addition to that specified in item (1) of this subsection — [~~\$150.00~~] **\$225.00**, less any
16 amount paid under item (1) of this subsection.

17 (c) For each Type II school vehicle, the annual registration fee is [~~\$51.00~~]
18 **\$76.50**.

19 13-933.

20 (a) When registered with the Administration, every bus operated under
21 charter or for hire is a Class P (passenger bus) vehicle.

22 (b) For each Class P (passenger bus) vehicle, the annual registration fee is
23 based on the seating capacity of the bus, as follows:

24	Seating Capacity	Fee
25	20 or less	[\$275.00] \$ 412.50
26	21 to 35	[525.00] 787.50
27	36 or more	[875.00] 1,312.50

28 13-934.

29 (a) When registered with the Administration, every vehicle used as a vanpool
30 vehicle is a Class J (vanpool) vehicle.

31 (b) For each Class J (vanpool) vehicle, the annual registration fee is [~~\$76.50~~]
32 **\$115.75**.

1 13-935.

2 (a) (1) In this section the following words have the meanings indicated.

3 (2) "Farm area motor vehicle" means a motor vehicle owned by a
4 farmer and operated only on a farm or on a highway within a 10-mile radius of the
5 farm.

6 (3) "Island vehicle" means a motor vehicle, other than a golf cart,
7 operated exclusively on an island that:

8 (i) Is not accessible by a highway;

9 (ii) Does not have State maintained highways; and

10 (iii) Contains less than 20 miles of highways.

11 (b) If registered with the Administration under this section, every farm area
12 motor vehicle, every island vehicle, and every vehicle that meets the requirements of
13 subsection (d)(1) of this section is a Class K (farm area/island) vehicle.

14 (c) Except as provided in subsection (d) of this section, for each Class K (farm
15 area/island) vehicle, the annual registration fee is [~~\$2.50~~] **\$3.75**.

16 (d) (1) The Administration may issue a temporary registration under this
17 section to a vehicle, other than an island vehicle, that:

18 (i) Is owned by a resident of another state, or a company
19 operating out of another state, if the individual or company is under contract with a
20 Maryland farmer to conduct seasonal harvesting operations in this State;

21 (ii) Is used to transport perishable commodities directly between
22 a farm and a packing plant for sorting and processing;

23 (iii) Passes a level 1 safety inspection conducted by the
24 Department of State Police; and

25 (iv) Is only operated within a 35-mile radius of the location
26 where the seasonal harvesting operations will occur.

27 (2) A temporary registration issued under this subsection may not be
28 in effect for more than 90 days.

29 (3) The Department of State Police shall establish a weight limitation
30 for vehicles registered under this subsection.

1 (4) A vehicle issued temporary registration under this subsection shall
2 meet the mandatory minimum security requirements of Title 17, Subtitle 1 of this
3 article.

4 (5) A person may not operate a vehicle registered under this
5 subsection unless the person holds a driver's license issued under Title 16 of this
6 article, or a license to drive issued by the state of the person's residence.

7 (6) The Administration may establish a fee for a temporary
8 registration issued under this subsection.

9 (e) An island vehicle registered under this section may not be operated on a
10 highway in the State that is not on an island described in subsection (a)(3) of this
11 section.

12 13-936.

13 (a) In this section, "historic motor vehicle" means a motor vehicle, including
14 a passenger vehicle, motorcycle, or truck that:

15 (1) Is at least 20 years old;

16 (2) Has not been substantially altered from the manufacturer's
17 original design; and

18 (3) Meets criteria contained in regulations adopted by the
19 Administration.

20 (b) In this section, "historic motor vehicle" does not include a vehicle that has
21 been remanufactured or reconstructed as a replica of an original vehicle.

22 (c) If registered with the Administration under this section, every historic
23 motor vehicle is a Class L (historic) vehicle.

24 (d) Except as provided in subsection (i) of this section, for each Class L
25 (historic) vehicle, the annual registration fee is [~~\$25.50~~] **\$38.25**.

26 (e) In applying for registration of a historic motor vehicle under this section,
27 the owner of the vehicle shall submit with the application a certification that the
28 vehicle for which the application is made:

29 (1) Will be maintained for use in exhibitions, club activities, parades,
30 tours, occasional transportation, and similar uses; and

31 (2) Will not be used:

32 (i) For general daily transportation; or

1 (ii) Primarily for the transportation of passengers or property on
2 highways.

3 (i) (1) For a motor vehicle manufactured at least 60 years prior to the
4 current model year, there is a onetime registration fee of [~~\$50.00~~] **\$75.00**.

5 (2) Registration of a motor vehicle manufactured under this subsection
6 is not transferable to a subsequent owner.

7 13–936.1.

8 (a) In this section, “vintage registration plate” means a Maryland
9 registration plate that was actually issued for display on a motor vehicle in a year not
10 less than 25 years prior to January 1 of each calendar year.

11 (b) (1) Subject to the provisions of this subsection, the owner of a motor
12 vehicle registered under § 13–936 or § 13–937.1 of this subtitle as a Class L (historic)
13 or Class N (street rod) vehicle may display 2 vintage registration plates in lieu of
14 current registration plates on that vehicle.

15 (2) The Administration may authorize the display of 2 vintage
16 registration plates in lieu of current registration plates on a motor vehicle described in
17 paragraph (1) of this subsection if:

18 (i) The owner of the motor vehicle submits an application on a
19 form prescribed by the Administrator;

20 (ii) The 2 vintage registration plates were issued in the same
21 year as the model year of the motor vehicle; and

22 (iii) The owner of the motor vehicle pays a onetime registration
23 fee of [~~\$25.50~~] **\$38.25**.

24 (c) If the Administration authorizes the display of vintage registration plates
25 under this section:

26 (1) The vintage registration plates shall remain valid for as long as
27 title to the motor vehicle remains in the person who submitted an application under
28 subsection (b)(2)(i) of this section; and

29 (2) A fee in addition to the onetime registration fee prescribed in
30 subsection (b)(2)(iii) of this section is not required for the issuance of the vintage
31 registration plates.

32 13–937.

1 (a) When registered with the Administration, every multipurpose passenger
2 vehicle is a Class M (multipurpose) vehicle.

3 (b) For each Class M (multipurpose) vehicle, the annual registration fee is:

4 (1) For a vehicle with a manufacturer's shipping weight of 3,700
5 pounds or less – [~~\$50.50~~] **\$75.75**; and

6 (2) For a vehicle with a manufacturer's shipping weight of more than
7 3,700 pounds – [~~\$76.50~~] **\$114.75**.

8 (c) The Administration may by rule and regulation provide for the
9 registration under this section of all multipurpose passenger vehicles registered under
10 another category.

11 13–937.1.

12 (a) In this section, “street rod” means a motor vehicle that:

13 (1) Is 25 years old or older; and

14 (2) Has been substantially altered from the manufacturer's original
15 design.

16 (b) Except as provided in subsection (e) of this section, if registered with the
17 Administration under this section, every street rod is a Class N (street rod) vehicle.

18 (c) For each Class N (street rod) vehicle, the annual registration fee is
19 [~~\$25.00~~] **\$37.50**.

20 (d) In applying for registration of a street rod under this section, the owner of
21 the street rod shall submit with the application a certification that the vehicle for
22 which the application is made:

23 (1) Will be maintained for use in exhibitions, club activities, parades,
24 tours, occasional transportation, and similar uses; and

25 (2) Will not be used:

26 (i) For general daily transportation; or

27 (ii) Primarily for the transportation of passengers or property on
28 highways.

29 (e) (1) The registration of a street rod registered before July 1, 1987 as a
30 Class L (historic) vehicle shall remain valid until midnight on the date indicated on
31 the registration card issued by the Administration.

1 (2) On expiration of a street rod’s registration as a Class L (historic)
 2 vehicle, a street rod registered with the Administration shall be registered as a Class
 3 N (street rod) vehicle as required by this section.

4 13–939.

5 (a) When registered with the Administration, every limousine operated for
 6 hire is a Class Q (limousine) vehicle.

7 (b) For each Class Q (limousine) vehicle, the annual registration fee is
 8 ~~[\$185.00]~~ **\$277.50**.

9 (c) On registration of a vehicle under this section, the Administration shall
 10 issue special limousine vehicle registration plates of the size and design that the
 11 Administration determines.

12 13–939.1.

13 Notwithstanding any other provision of this subtitle, for a rental vehicle as
 14 defined in § 11–148.1 of this article, the annual registration fee is:

15 (1) For a Class A (passenger) vehicle with a manufacturer’s shipping
 16 weight of:

17 (i) 3,700 pounds or less – ~~[\$27.00]~~ **\$40.50**; and

18 (ii) More than 3,700 pounds – ~~[\$40.50]~~ **\$60.75**;

19 (2) For a Class E (truck) vehicle with a manufacturer’s rated capacity
 20 of 3/4 ton or less and a maximum gross vehicle weight of 7,000 pounds or less –
 21 ~~[\$33.75]~~ **\$50.63**;

22 (3) Notwithstanding item (2) of this section, for a Class E (truck)
 23 vehicle:

24 With Maximum Gross Weight	Fee (per 1,000 Pounds
25 Limit (in Pounds)	or Fraction Thereof)
26 10,000 (minimum) – 18,000	[\$ 4.75] \$ 7.13
27 18,001 – 26,000	[7.50] 11.25
28 26,001 – 40,000	[8.50] 12.75
29 40,001 – 60,000	[10.50] 15.75
30 60,001 – 80,000 (maximum)	[11.75] 17.63 ;

31 (4) For a Class F (tractor) vehicle based on the maximum gross weight
 32 of the vehicle in combination with a trailer or semitrailer as follows:

	Maximum Gross Weight Limit (in Pounds)	Fee (per 1,000 Pounds or Fraction Thereof)
1	40,000 (minimum) – 60,000	[\$14.50] \$21.75
2	60,001 – 80,000 or more	[16.00] 24.00;

5 (5) For a Class G (trailer) vehicle based on the maximum gross weight
6 as follows:

7 (i) For a nonfreight trailer or semitrailer:

	Maximum Gross Weight Limit (in Pounds)	Fee
8	3,000 or less	[\$13.50] \$ 20.25
9	3,001 – 5,000	[27.00] 40.50
10	5,001 – 10,000	[47.25] 70.88
11	10,001 – 20,000	[81.00] 121.50; and

12 (ii) For a freight trailer or semitrailer – ~~[\$20.25]~~ **\$30.38; and**

13 (6) For a Class M (multipurpose) vehicle with a manufacturer's
14 shipping weight of:

15 (i) 3,700 pounds or less – ~~[\$27.00]~~ **\$40.50; and**

16 (ii) More than 3,700 pounds – ~~[\$40.50]~~ **\$60.75.**

17 13–939.2.

18 (a) When registered with the Administration, every low speed vehicle is a
19 Class R (low speed) vehicle.

20 (b) For each Class R (low speed) vehicle, the annual registration fee is
21 ~~[\$35.00]~~ **\$52.50.**

22 SECTION 3. AND BE IT FURTHER ENACTED, That each person holding
23 tax–paid motor fuel for sale at the start of business on July 1, 2011, shall compile and
24 file an inventory of the motor fuel held at the close of business on June 30, 2011, and
25 remit within 30 days any additional motor fuel tax that is due on the motor fuel.

26 SECTION 4. AND BE IT FURTHER ENACTED, That the General Assembly
27 determines that the amendment to the Maryland Constitution proposed by Section 1
28 of this Act affects multiple jurisdictions and that the provisions of Article XIV, § 1 of
29 the Maryland Constitution concerning local approval of constitutional amendments do
30 not apply.

31 SECTION 5. AND BE IT FURTHER ENACTED, That the amendment to the
32 Maryland Constitution proposed by Section 1 of this Act shall be submitted to the
33
34

1 qualified voters of the State at the next general election to be held in November, 2012
2 for their adoption or rejection pursuant to Article XIV of the Maryland Constitution.
3 At that general election, the vote on the proposed amendment to the Constitution shall
4 be by ballot, and upon each ballot there shall be printed the words "For the
5 Constitutional Amendment" and "Against the Constitutional Amendment," as now
6 provided by law. Immediately after the election, all returns shall be made to the
7 Governor of the vote for and against the proposed amendment, as directed by Article
8 XIV of the Maryland Constitution, and further proceedings had in accordance with
9 Article XIV.

10 SECTION 6. AND BE IT FURTHER ENACTED, That, except as provided in
11 Sections 2 and 3 of this Act, this Act shall take effect July 1, 2011.